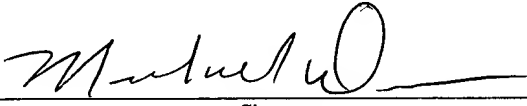
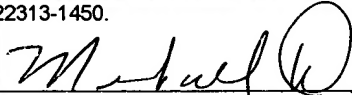


Image

1722

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| TRANSMITTAL LETTER (General - Patent Pending) | | | Docket No. DVP:102US | |
| In Re Application Of: Beckers et al. | | | | |
| Serial No. 09/830,044 | Filing Date 06/21/2001 | Examiner Joseph S. Del Sole | Group Art Unit 1722 | |
| Title: CELLULOSE EXTRUSION | | | | |
| <p style="text-align: center;"><u>TO THE COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is:</p> <p>(1) Request for Restarting of Time For Response (1) Acknowledgement Postcard</p> <p>in the above identified application.</p> <p><input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-0822 as described below. <input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="width: 45%;"> _____ <i>Signature</i></div><div style="width: 45%; text-align: right;">Dated: December 4, 2003</div></div> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="width: 45%;">Michael L. Dunn, Esq. Registration No. 25,330 CUSTOMER NO. 24041 Simpson & Simpson, PLLC 5555 Main Street Williamsville, NY 14221-5406 Telephone No. 716-626-1564</div><div style="width: 45%; border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on Dec. 4, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> _____ <i>Signature of Person Mailing Correspondence</i> Michael L. Dunn _____ <i>Typed or Printed Name of Person Mailing Correspondence</i></div></div> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="width: 45%;">MLD/KRB CC: _____</div><div style="width: 45%;"></div></div> | | | | |



Attorney Docket No. DVP102US-1226
U.S. Patent Application No. 09/830,044
Date: December 4, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stefan D. Beckers et al;

U.S. Patent Application No. 09/830,044

For: Cellulose Extrusion

Filed: June 21, 2001

Examiner: DelSole, Joseph

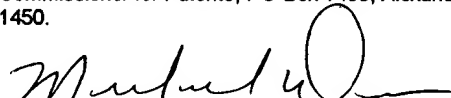
Group Art Unit: 1722

Confirmation No.: 9440

Customer No.: 24041

Certificate of Mailing by First Class Mail

I certify that this Request for Restarting of Time for Response is being deposited on December 4, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.


Michael L. Dunn

REQUEST FOR RESTARTING OF TIME FOR RESPONSE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Honorable Sir:

The Examiner is requested to restart the time period for response to the official action of September 4, 2003.

In the response, the Examiner provisionally rejected Claim 2 of the present application for obviousness type double patenting over Claim 15 of U.S. Application serial number

10/221,597. The owners of the present application were unable to identify Application 10/221,597 nor were they able to obtain a copy thereof.

The attorney for the present Applicants contacted the Examiner by phone on September 26, 2003 and was advised that the common inventor was Stefan Beckers but were still unable to locate or obtain a copy of Application 10/221,597. At the time of the initial contact, the Examiner indicated that he was unable to provide a copy of Application 10/221,597 to the attorney in the present Application.

The U.S. Patent and Trademark Office should have provided a copy of 10/221,597 to the attorney for the Applicants in the present Application to enable a response to the double patenting rejection or the rejection should have been withdrawn. In the absence of such a copy response to the double patenting rejection was impossible.

It should be pointed out that as between applications, confidentiality need not be maintained when there are inventors in common. (See e.g. MPEP 706.02(f) II) It should further be pointed out that such a rejection should not be made if there is a question of compromising confidentiality. (See MPEP 804 I. B.)

During a subsequent telephone interview on December 4, 2003, the Examiner advised that co-pending application 10/221,597 published after the date of the official action. It is therefore now possible to reply; however, insufficient time remains to properly do so.

It is therefore respectfully requested that the time period for response be restarted.

Respectfully submitted,



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December 4, 2003

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